

September 23, 1999

MEMORANDUM TO: Distribution

FROM: Michael J. Rubino, Associate Director
 Acquisition and Corporate Services Branch

SUBJECT: Policy Memorandum No. 99-001- Revisions to
 Past Performance Information

1. Purpose. The purpose of this Policy Memorandum is to modify the Acquisition Policy Manual (APM) to provide changes in the process and procedures for documenting Past Performance Information on FDIC contracts.
2. References. APM 3.A.3.c., Contractor Eligibility Information, Page 3-1.
 APM 5.E.1.f., Contractor Past Performance Information, Page 5-13.
 APM 6.D.2.g.(4), Contract Performance Management System (CPMS),
 Page 6-22.
 APM 6.D.4.c.(h), Initial Briefing, Page 6-25.
 APM 6.D.4.c.(5), Past Performance, Page 6-27.
 APM 7.B.1.h.(24), Functions, Page 7-7.
 APM 7.B.2.a.(19), Responsibilities, Page 7-12
 APM Exhibit XVIII, Contractor Performance Evaluation and Reporting
 Form, FDIC 3700/24 (8-96).
3. Scope. This Policy Memorandum is applicable to all Contracting Officers,
Oversight Managers and Technical Monitors.
4. Background. The APM currently requires Oversight Managers to complete an
evaluation form on contracts of \$50,000 or greater. These evaluations are input into the
Contractor Performance Management System and subsequently utilized by Contracting
Officers in awarding future contracts. This Policy Memorandum sets forth a new
contractor evaluation form which establishes a numerical rating system with a Rating
Guideline to create a simpler rating process. In addition, the new form documents the
new evaluation process which provides for the contractor's review and concurrence or
rebuttal in the evaluation of it's performance on FDIC contracts.

5. APM Change. Therefore, in accordance with the foregoing, the following changes are made to the APM:

- a. APM 3.A.3c. is deleted in its entirety and replaced with the following:

“Information in the NCS is obtained from Contractor Applications and includes contractor eligibility information . NCS also provides a CPMS indicator when past performance information is available in the Contractor Performance Management System (CPMS). Therefore, the NCS is accessed by ACSB personnel not only for prospective sources for solicitation purposes, but also to determine if a contractor is eligible to do business with FDIC, and if FDIC has a past performance record on a contractor.

“In order to ensure that information on past performance provided to those outside FDIC is consistent and dependable, any and all inquiries regarding the past performance of an FDIC contractor shall be forwarded to the Contractor Relations Group (CRG), Acquisition and Corporate Services Branch, 1730 Pennsylvania Avenue, N.W., Washington, D.C. 20006. The CRG will respond to all such inquiries on behalf of FDIC.”

- b. APM 5.E.1.f. is deleted in its entirety and replaced with the following:

“The Contracting Officer and the Program Office shall use a contractor’s past performance information in the evaluation process for all procurements of \$50,000 or greater, and for any other procurement, at the discretion of the contracting officer, provided this information is available in the Contractor Performance Management System (CPMS), is provided by the offeror with its proposal, or is obtained from the references using the Contractor Past Performance RFP Reference Check Questionnaire (See APM Exhibit XXX). To perform such review, the Contracting Officer has two options. The first option is to use the review and print capability of the CPMS online services. The second option is to obtain the information by sending an email request to the mailbox address “CPMS”.”

- c. APM 6.D.2.g.(4) is deleted in its entirety and replaced with the following:

(4) “Contractor Performance Management System (CPMS). The Headquarters Acquisition Section in Washington, D.C., is responsible for maintaining the Contractor Performance Management System, to assist in the proposal evaluation of FDIC contractors, and to provide past performance information that can be used in the evaluation process. The Contracting Officer shall review CPMS past performance information on all procurements processed under formal procedures and provide such information to the TEP. To perform such review, the Contracting Officer has two options. The first option is to use the review and print capability of the CPMS online services. The second option is to obtain the information by sending an email request to the mailbox address “CPMS”.”
- d. APM 6.D.4.c.(h) is deleted in its entirety and replaced with the following:

(h) “The need to obtain and consider past performance information (See APM Exhibit XXX, Contractor Past Performance RFP Reference check Questionnaire);”
- e. APM 6.D.4.c.(5) is deleted in its entirety and replaced with the following:

(5) “ Past performance shall be a scored criterion. The TEP will obtain available performance information on all offerors using the questionnaire provided by the Contracting Officer during the proposal evaluation kick-off meeting. TEP members are required to call all offeror’s references and use the questionnaire to document past performance information. In conjunction with the past performance information obtained through references, the TEP shall utilize any other past performance information (e.g., from the Contractor Performance Management System), and assign a numerical score to the corresponding technical evaluation criterion. All completed questionnaires shall be returned to the Contracting Officer with the TEP memorandum and individual TEP member scoring sheets at the conclusion of the proposal evaluation process. The completed questionnaires are procurement sensitive information: they must be kept confidential and retained in the official contract file.”

- f. APM 7.B.1.h.(24) is deleted in its entirety and replaced with the following:

(24) “Complete the Contractor Performance Evaluation and Reporting Form (See Exhibit XVIII) for contracts and purchase orders \$50,000 and greater and submit it to the Contracting Officer [1] when there is a performance issue (interim report); [2] when an option is exercised; and [3] within 30 days of contract completion.”
- g. APM 7.B.2.a.(19) is deleted in its entirety and replaced with the following:

(19) “Review the Contractor Performance Evaluation and Reporting Form (See Exhibit XVIII) prepared by the Oversight Manager: [1] when there is a performance issue (interim); [2] when an option is exercised; and [3] within 30 days of contract completion; and”
- h. APM 7.E.3.h. is a new section and is stated as follows:

“Oversight Manager description of contractor performance evaluation procedures, supplying a copy of the FDIC’s Contractor Performance Evaluation and Reporting Form , FDIC Form 3700/24 (See APM, Exhibit XVIII), to the contractor;”
- i. APM 7.G.4.a.(8) is a new section and is stated as follows:

(8) “Upon receipt of the evaluation report from the Oversight Manager, the Contracting Officer will review and initial the report indicating concurrence with the rating. The Contracting Officer will forward the form to the Contractor for review and signature, and if applicable, rebuttal or comments, advising the Contractor that they have 30 days to appeal the evaluation (See APM Exhibit XVIII, Contractor Performance Evaluation Transmittal Letter). If the Contracting Officer and the contractor are unable to agree on a rating, the matter is to be referred to an official one level above the Contracting Officer. Upon receipt of the review official’s decision, the Contracting Officer will attach a copy of the decision to the report, adjust the initial rating, if appropriate, sign the report and provide a copy to the Oversight Manager, the Contractor and the Contractor Relations Group, ACSB. The original, fully executed evaluation report shall be placed in the contract file.”

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- j. Exhibit XVIII, Contractor Performance Evaluation and Reporting Form, FDIC 3700/24 (8-96), is deleted in its entirety and replaced with the following:
- Exhibit XVIII, Contractor Performance Evaluation and Reporting Form, FDIC 3700/24 (9-99).
- k. Exhibit XXX, Contractor Past Performance RFP Reference Check Questionnaire, is a new Exhibit. (See Attached).
6. Effective Date. The provisions of this Policy Memorandum are effective immediately.
7. Contact. If you have any questions, contact David K. McDermott at (202) 942-3434.

Attachments: Exhibit XVIII, Contractor Performance Evaluation Documentation

- Contractor Performance Evaluation and Reporting Form, FDIC 3700/24 (9-99)
- Contractor Performance Evaluation Transmittal Letter

Exhibit XXX, Contractor Past Performance RFP Reference Check Questionnaire, FDIC 3700/29 (4-98)

cc: David K. McDermott

Distribution:

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